IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Criminal Application No.919 of 2007
In
Criminal Appeal No.745 of 2007

Shakil @ Sunil Abdul Raheman Khan .. .. Applicant
(Orig. Accused No.2)

v/s.

The State of Maharashtra .. .. Respondent

None for Applicant.

Mrs.M.M. Deshmukh, APP for Respondent

CORAM : DR.S. RADHAKRISHNAN &
SMT.ROSHAN DALVI, JJ.

Dated : 23rd August, 2007

P.C. :

1. Heard the learned APP for the Respondent- State. This Application for condonation of delay has been filed by the Applicant (original Accused No.2) for condoning the delay of 4 years and 184 days in filing the above Appeal. This Application is filed through jail.

2. We have perused the said Application and it appears that

due to financial constraint and other difficulties, the Applicant could not lodge the above Appeal in time. The Appeal arises out of conviction under Section 302 read with Section 34 of Indian Penal Code.

3. Under the aforesaid circumstances, sufficient cause is made for condonation of delay. There is no case of inaction, negligence or want of bona fide on the part of the Applicant. Hence, the delay in filing the above Appeal is condoned.

4. The Application stands disposed of accordingly.

(**DR.S. RADHAKRISHNAN, J.)**

(ROSHAN DALVI, J.)